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FACSIMILE TRANSMITTAL COVER SHEET

DATE: 01/06/06 FILE NUMBER: USO 4571.3
PTO FACSIMILE NUMBER: 571 273-0621

PLEASE DELIVER THIS FACSIMILE TO: Alton N. Pryor
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Type of paper transmitted: Terminal Disclaimer and Fee Transmittal

Applicant's Name: Roy E. Wuthier et al.

Serial No.: 10/696,760 Examiner: Alton N. Pryor

Filing Date: 10/29/03 Art Unit: 1616 Confirmation No.: 6691

Application Title: FC101 AND ANALOGS AS A METHOD OF TREATMENT
FOR CANCER

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USO 4571.3
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Roy E. Wuthier et al. Art Unit 1616
Serial No. 10/696,760
Filed October 29, 2003
Confirmation No. 6691
For FC101 AND ANALOGS AS A METHOD OF TREATMENT FOR CANCER
Examiner Alton Nathaniel Pryor

January 6, 2006

**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

TO THE COMMISSIONER FOR PATENTS,

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The owner, University of South Carolina, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,225,340. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a

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PATENT

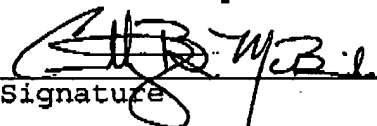
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.
- ☒ PTO suggested wording for terminal disclaimer was
- ☒ unchanged
- ☐ changed (if changed, an explanation should be supplied)

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FEE TRANSMITTAL

Application Number 10/696,760 Art Unit 1616
Filing Date October 29, 2003 Confirmation No. 6691
Inventor(s) Roy E. Wuthier et al.
Examiner Name Alton N. Pryor
Attorney Docket Number USO 4571.3

☒ Applicant claims small entity status.

METHOD OF PAYMENT

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(Type: _____) Subtotal (1) \$ _____
2. ☐ EXCESS CLAIM FEES
- Total Claims ____ - ____ (HP) = 0 x Fee ____ = \$0.00
Indep Claims ____ - ____ (HP) = 0 x Fee ____ = \$0.00
Multiple Dependent Claims Fee \$ _____
(HP = highest number of claims paid for)
- Subtotal (2) \$0.00
3. ☐ APPLICATION SIZE FEE
- Total Pages N/A - 100 = NaN + 50 = 0 x \$250 = \$0.00
(Application + Drawings) (round up to whole #)
- Subtotal (3) \$0.00
4. ☒ OTHER FEE(S)
- ☐ _____ month extension of time
☐ Information disclosure statement
☐ 37 CFR 1.17(q) processing fee
☐ Non-English specification
☐ Notice of Appeal
☐ Filing a brief in support of appeal
☐ Request for oral hearing
☒ Other: Terminal Disclaimer
- Subtotal (4) \$65.00

TOTAL AMOUNT OF PAYMENT \$65.00


Timothy B. McBride
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01/06/06

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(Type: _____) Subtotal (1) \$ _____

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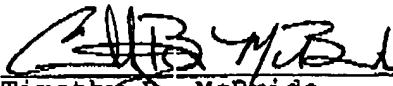
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